

April 23, 2013

Shawn Musgrave
MuckRock News
DEPT MR 2267
P.O. Box 55819
Boston, MA 02205-5819

RE: Freedom of Information Act Request Dated November 28, 2012 Resubmitted on March 1, 2013, April 4 and 19, 2013, Concerning Proposals, Contracts, Budget, Allocations for the Use of Aerial Drones, and Policies/ Guidelines for the Use of Aerial Drones

Dear Mr. or Ms. Musgrave:

This letter serves as the City of Detroit's response to the above-referenced matter. The City of Detroit Law Department Governmental Affairs Section is in receipt of your email request, which was re-submitted to the Detroit Police Department Office of Public Information on March 1, 2013, April 4, 2013, and April 19, 2013. Please note that on February 26, 2013, we sent a letter denying your request based on information provided by personnel from the City of Detroit Police Department and the Finance Department Purchasing.

Specifically, your email requests:

- "1. any requests for proposals, proposals submitted by vendors, contracts, budgets or cost allocations for the purchase, research of and/or use of aerial drones, UAs, UAVs, and UASs (hereinafter "drones");
2. any policies, guidelines, manuals and/or instructions on use of drones, including on the legal process required (such as a warrant or court order), if any, before operating a drone;
3. any records concerning use of drones now or plans to use drones in the future including:
 - a. the types of investigations or instances in which this institution is using or plans to use drones, or how it plans to support, manage or oversee the usage of drones by another department or office;
 - b. policies, guidelines, manuals and/or instructions on storage requirements or procedures for video or static



Shawn Musgrave
April 23, 2013
Page 2

images obtained through use of drones, including retention times;

- c. the altitude at which drones can or do fly;
- d. drones' ability to carry weapons."

Because the Detroit Police Department and the City of Detroit Finance Department Purchasing did not appear to have any record which corresponds to the description of your request, we re-submitted your request to the City of Detroit Homeland Security Department.

Your request is denied pursuant to MCL 15.235(4)(b). Based on information provided by Homeland Security personnel, it is our understanding that they do not possess any record which corresponds to the description of your request. The City of Detroit Homeland Security is not pursuing the use of drones at this time.

Please note that pursuant to Section 10 of the Michigan Freedom of Information Act, being MCL 15.240, a person receiving a written denial of a request may do one of the following:

- 1) Submit a written appeal to the head of the public body denying the request. Such appeal, if submitted, should specifically state the word "appeal" and identify the reason or reasons for reversal of the denial. MCL 15.240(1)(a); or
- 2) Commence an action in the circuit court to compel the disclosure of the public records within 180 days after the public body's denial of the request. MCL 15.240(1)(b). If a court finds that the information withheld by a public body is not exempt from disclosure, the requesting party may receive the requested record and, at the discretion of the court, reasonable attorney fees and /or costs. MCL 15.240(6) and (7).

Very truly yours,

Ellen Ha
Senior Assistant Corporation Counsel
Governmental Affairs Section
(313) 237-5067

EH/